

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

MEGAN KELSEY TABLER,

Plaintiff,

v.

- 1) MEHDI, INC. d/b/a DAIRY QUEEN,
- 2) MUNIS M. MOMIN,
- 3) ALI MOMIN, and
- 4) AAY786, INC. d/b/a EDIBLE ARRANGEMENTS,

Defendants.

Civil Action No. 5:17-cv-00209-CAR

JURY TRIAL DEMANDED

**JOINT STIPULATION OF DISMISSAL WITH PREJUDICE AS TO
COUNT ONE**

COMES NOW the Plaintiff and Defendants (collectively, “the Parties”), by and through the undersigned counsel, and pursuant to F.R.C.P. 41(a)(1)(A)(ii), hereby stipulate to the dismissal WITH PREJUDICE of **Count One** of this Action.¹ (Counts Two, Three, Four, and Five are being dismissed WITHOUT prejudice.) As to Count One, the Parties respectfully request that the Court retain jurisdiction for the purpose of enforcing the Settlement Agreement (if necessary).

¹ The Parties have settled Count One (an FLSA claim), and Plaintiff’s portion of the settlement will compensate her in full without compromise as to Count One. As a result, there is no need for judicial review of the Settlement Agreement. See Bonetti v. Embarq Mgmt. Co., 715 F. Supp. 2d 1222, 1126 & n.6 (M.D. Fla. Aug. 4, 2009).

Respectfully submitted this 21st day of August, 2017.

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FONT AND POINT CERTIFICATION

I hereby certify that the within and foregoing document was prepared using
Times New Roman, 14-point font.

This 21st day of August, 2017.

By: /s/ William J. Smith
William J. Smith

CERTIFICATE OF SERVICE

I hereby certify that I have this 21st day of August, 2017, caused service of the foregoing document to issue on Defendants' counsel by electronically filing the document via the CM/ECF filing system.

By: /s/ William J. Smith
William J. Smith